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VIA CM/ECF

The Honorable Richard G. Andrews
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Room 6325, Unit 9
Wilmington, DE 19801-3555

Re: *In re Sitagliptin Phosphate ('708 & '921) Patent Litigation, C.A. Nos. 19-md-2902-RGA, 19-311-RGA, 19-312-RGA, 19-313-RGA, 19-314-RGA, 19-319-RGA, 19-1489-RGA, 20-749-RGA, 20-815-RGA, 20-847-RGA, 20-949-RGA, 20-1099-RGA, 20-1227-RGA, & 20-1496-RGA*

Dear Judge Andrews,

We represent Plaintiff Merck Sharp & Dohme Corp. (“Merck”) in the above-captioned matters. As an update regarding Merck’s letter dated January 28, 2021, D.I. 376, the U.S. Patent & Trademark Office (“PTO”) has issued Merck’s certificate of correction to replace the term “absorption bands obtained . . . at spectral” in claims 5–7 with “diffraction peaks obtained . . . corresponding to.” The certificate of correction from the PTO is attached.

We are conferring with defendants regarding a process to incorporate the corrected claims into the current case, including the current expert report schedule.

Respectfully submitted,

/s/ Daniel M. Silver

Daniel M. Silver (#4758)

cc: All Counsel of Record (via CM/ECF and E-Mail)